

# HellerEhrman

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## Facsimile Transmittal

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**To:** Examiner Minh Tam B. Davis, USPTO  
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**No. of Pages:** 7 (including cover)  
**Date:** February 8, 2005

39749-0001 (7041)

### Message:

**RE:** U.S. Patent Application No. 09/403,440  
**Title:** MATERIALS AND METHODS RELATING TO INHIBITING THE  
INTERACTION OF p53 and mdm2  
**Filed:** January 19, 2000  
**Our Reference No.:** 39749-0001APC

### Included in this facsimile are the following documents:

1. Transmittal;
2. Fee Transmittal;
3. Second Amendment after Final Rejection; and
4. Commissioner is authorized to charge any fees that are due, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney Docket No.: 39749-0001APC).

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PTO/SB/21 (6-99)  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/403,440

Filing Date

January 19, 2000

First Named Inventor

Lane, David Philip

Group/Art Unit

1642

Examiner Name

Minh Tam B. Davis

Attorney Docket Number

39749-0001APC

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form☐ Fee Attached☒ Amendment / Response☐ After Final☐ Version with Markings Showing Changes☐ Affidavits/declaration(s)☒ Extension of Time Request  
(3-month EOT = \$1,020.00)☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After Allowance Communication  
to Group☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Additional Enclosure(s)  
(please identify below):

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Remarks

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES  
DUE IN CONNECTION WITH THIS PAPER (Reference Atty. Docket No. 39749-  
0001APC).

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm  
or  
Individual name

GINGER R. DREGER, Reg. No. 33,055, HELLER EHRMAN WHITE &amp; McAULIFFE LLP

Signature

Date

FEBRUARY 8, 2005

Customer Number:

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I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile to (571) 273-0830  
and addressed to Examiner Minh Tam B. Davis, U.S. Patent and Trademark Office, Alexandria, VA 22313-1450 on February 8, 2005.

Typed or printed name

CHERYL ANN ROGERS

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Date

FEBRUARY 8, 2005

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# FEE TRANSMITTAL for FY 2005

Effective 12/08/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number 09/403,440  
 Filing Date January 19, 2000  
 First Named Inventor Lane, David Phillip  
 Examiner Name Minh Tam B. Davis  
 Art Unit 1642  
 Attorney Docket No. 39749-0001APC

## METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 08-1641 (Docket No. 39749-0001APC)

Deposit Account Name Heller Ehrman White & McAuliffe LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20** =			
3** =			0
			0

Multiple Dependent

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	**Reissue independent claims over original patent
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	1,020.00
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460		1460		Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1,020.00)

## SUBMITTED BY

Name (Print/Type) GINGER R. DREGER, ESQ.

Signature

Registration No. 33,055  
 (Attorney/Agent)

Date FEBRUARY 8, 2005

Telephone 650-324-7000

Customer No. 25213

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Philip Lane      Docket No.: 39749-0001APC  
Serial No.: 09/403,440      Group Art Unit: 1642  
Filing Date: 01/19/2000      Examiner: Davis, Minh Tam B.  
For: **MATERIALS AND METHODS RELATING TO INHIBITING  
THE INTERACTION OF p53 and mdm2**

**SECOND AMENDMENT AFTER FINAL REJECTION**

**MS: FEE AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 20231

*Official  
+ B.  
02/08/05*

Dear Sir:

This Amendment serves to replace the unentered after final Amendment mailed on July 13, 2004. A Notice of Appeal filed on July 14, 2004, and a Request for a Three-Month Extension of Time accompanying the present Amendment keep the present application pending.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.

**I. CERTIFICATE OF FACSIMILE TRANSMISSION**

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Typed or printed  
name

Cheryl Ann Rogers

Signature

*Cheryl Ann Rogers*

Date

February 8, 2005